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December 20, 2019

VIA ECF & EMAIL

The Honorable Paul A. Englemayer
United States District Judge
United States District Court for the Southern District of New York
40 Foley Square, Room 2201
New York, NY 10007

Re: *Thomas & Betts Corp., n/k/a/ ABB Installation Products, Inc. (“T&B”) v. Trinity Meyer Utility Structures, LLC, f/k/a McKinley 2014 Acquisition, LLC (“Meyer”) and Arcosa, Inc. (“Arcosa”)* Case No. 1:19-cv-07829 (PAE)(JLC)

Dear Judge Engelmayer:

We represent Plaintiff T&B in the above-captioned action. We write to respectfully request the Court to mark under seal Exhibit 2 (ECF Doc. No. 46-2) of the Declaration of Peter A. Silverman, dated November 18, 2019 (ECF Doc. No. 46) (the “Silverman Declaration”), submitted in support of Plaintiff’s Motion to Dismiss Defendant’s Counterclaim.

Last night, it was brought to our co-counsel’s attention by opposing counsel that T&B filed an unredacted copy of Meyer’s Answer and Counterclaim as Exhibit 2 to the Silverman Declaration. The Court previously granted Meyer’s request for permission to file this document under seal. (*See* ECF Doc. No. 33).

This morning, we called the ECF Help Desk pursuant to Section 21.8 of the SDNY’s Electronic Case Filing Rules & Instructions to request that the docket entry be temporarily sealed pending this request for the filing (Exhibit 2) to be formally sealed by the Court. The ECF Help Desk advised us to reach out to Chambers directly, which directed us to file this letter. Accordingly, T&B respectfully requests that the Court mark Exhibit 2 to ECF Doc. No 46 under seal.



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We sincerely apologize for the oversight and appreciate the Court's prompt attention to this matter.

Respectfully submitted,

/s/ Michael Berengarten

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The Clerk of Court is respectfully directed to remove Dkt. 46-2 from ECF. The parties shall file a redacted version of this document, consistent with the Court's order at Dkt. 33, on ECF forthwith and file an unredacted version under seal in accordance with this district's procedures. The parties are also directed to provide an unredacted copy to the Court by email.
SO ORDERED.



PAUL A. ENGELMAYER 12/20/2019
United States District Judge